

## **Ordinance No. 09-02**

### **AN ORDINANCE OF THE TOWN OF NOLENSVILLE, TENNESSEE REPEALING THE PROHIBITION OF INTOXICATING LIQUOR SALES ON PREMISE AND ADOPTING A PRIVILEGE TAX ON RETAIL SALE OF ALCOHOLIC BEVERAGES FOR CONSUMPTION ON THE PREMISE**

**Be It Ordained** by the Board of Mayor and Aldermen of the Town of Nolensville, Tennessee that Title 8, Chapter 1, Section 8-101 of the Municipal Code is hereby repealed in its entirety and a new Chapter 1 is substituted as follows:

#### **Chapter 1. Intoxicating Liquors**

**Section 8-101.** Definition of Alcoholic beverages.

**Section 8-102.** Consumption of alcoholic beverages on premises.

**Section 8-103.** Privilege tax on retail sale of alcoholic beverages for consumption on the premises.

**Section 8-104.** Annual privilege tax to be paid to the Town Recorder.

**8-101. Definition of alcoholic beverages.** As used in this chapter, unless the context indicates otherwise: Alcoholic beverages means and includes alcohol, spirits, liquor, wine, and every liquid containing alcohol, spirits, wine and capable of being consumed by a human being, other than patented medicine or beer, where the latter contains an alcoholic content of five percent (5%) by weight, or less.

**8-102. Consumption of alcoholic beverages on premises.** Tennessee Code Annotated, title 57, chapter 4, inclusive, is hereby adopted so as to be applicable to all sales of alcoholic beverages for on premises consumption which are regulated by the said code when such sales are conducted within the corporate limits of Nolensville, Tennessee. It is the intent of the Board of Mayor and Aldermen that the said Tennessee Code Annotated, title 57, chapter 4, inclusive, shall be effective in Nolensville, Tennessee, the same as if said code sections were copied herein verbatim.

**8-103. Privilege tax on retail sale of alcoholic beverages for consumption on the premises.** Pursuant to the authority contained in Tennessee Code Annotated, 57-4-301, there is hereby levied a privilege tax ( in the same amounts levied by T.C.A., title 57, chapter 4, section 301, for the Town of Nolensville General Fund to be paid annually as provided in this chapter) upon any person, firm corporation, joint stock company, syndicate, or association engaging in the business of selling at retail in the Town of Nolensville on alcoholic beverages for consumption on the premises where sold.

**8-104. Annual privilege tax to be paid to the Town Recorder.** Any person, firm, corporation, joint stock company, syndicate or association exercising the privilege of selling alcoholic beverages for consumption on the premises in the Town of Nolensville shall remit annually to the Town Recorder the appropriate tax described in 8-103. Such payments shall be remitted not less than thirty (30) days following the end of each twelve (12) month period from the original date of the license. Upon the transfer of ownership of such business or the discontinuance of such business, said tax shall be filed within thirty (30) days following such event. Any person, firm, corporation, joint stock company, syndicate, or association failing to make payment of the appropriate tax when due shall be subject to the penalty provided by law.

**8-105. Concurrent sales of liquor by the drink and beer.** Any person, firm, corporation, joint stock company, syndicate or association which has received a license to sell alcoholic beverages in the Town of Nolensville, pursuant to Tennessee Code Annotated, Title 57, Chapter 4, shall, notwithstanding the provisions of 8-212(3) of the Ordinances of the Town of Nolensville, qualify to receive a beer permit from the Town.

**8-106. Advertisement of alcoholic beverages.** All advertisement of the availability of liquor for sale by those licensed pursuant to Tennessee Code Annotated Title 57, Chapter 4, shall be in accordance with the Rules and Regulations of the Tennessee Alcoholic Beverage Commission.

This Ordinance shall take effect upon its passage, the public welfare requiring it.

\_\_\_\_\_  
Beth Lothers, Mayor

Attest: \_\_\_\_\_  
Town Recorder

Approved by: \_\_\_\_\_  
Town Attorney

Passed 1<sup>st</sup> Reading: \_\_\_\_\_

Passed 2<sup>nd</sup> Reading: \_\_\_\_\_